

AMENDED

NO. 63133

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 19 1997  
Returned to applicant for correction JUN 02 1997  
Corrected application filed JUN 06 1997  
Map filed MAY 20 1997

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The applicant W.H. Tobeler & Jean S. Tobeler, William E. Buck & Eleanor F. Buck as Co-Trustees of the W.E. Buck Family Trust, Stephen E. Buck & Rosemarie L. Buck, hereby makes application for permission to change the Point of diversion, manner and place of use of a portion of water heretofore appropriated under Proof of Appropriation of Water #08912

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1. The source of water is underground
2. The amount of water to be changed 0.0142 CFS, not to exceed 3.0 acre-feet
3. The water to be used for Quasi-Municipal purposes
4. The water heretofore permitted for irrigation, stockwater and commercial purposes
5. The water is to be diverted at the following point NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 9, T.20N., R.19E M.D.B.&M. or at a point from which the E $\frac{1}{4}$  corner of said section 9 bears N.85°40'36"E., a distance of 740.75 feet
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 16, T.20N., R.19E., M.D.B.&M., or at a point from which the N $\frac{1}{4}$  corner of said section 16 bears N 28°59' E., a distance of 1178.5 feet.
7. Proposed place of use a portion of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 9, T.20N., R.19E., M.D.B.&M. (APN 088-020-52)
8. Existing place of use NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 16, T.20N., R.19E., M.D.B.&M. (APN 88-650-07)
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works A drilled and cased well, equipped with a motor pump and distribution system.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works Two (2) years
14. Estimated time required to complete the application of water to beneficial use Five (5) years
15. Remarks: Use is for a proposed gas station and convenience store on Washoe County APN 088-020-52. Although the place of use is within Washoe County's service area, they are unable to provide service. (Refer to letter from Vahid Behmaram accompanying this application). The water being changed is a portion of the commercial use consisting of 2.24 acre feet for bar/nightclub and 0.76 acre feet for the restaurant.

By s/ Gregory M. Bilyeu  
Gregory M. Bilyeu, Agent  
P.O. Box 70458  
Reno, Nevada 89570

Compared cl/ab

Protested \_\_\_\_\_

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OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Proof 08912 is issued subject to the terms and conditions imposed in said Proof 08912 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0142 cubic feet per second, but not to exceed 3.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 31, 2001

Proof of completion of work shall be filed before:

September 30, 2001

Water must be placed to beneficial use on or before:

August 31, 2004

Proof of the application of water to beneficial use shall be filed on or before:

September 30, 2004

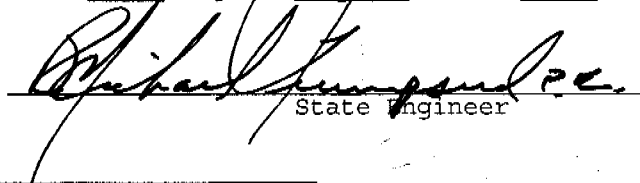
Map in support of proof of beneficial use shall be filed on or before:

September 30, 2004

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 31st day of August, A.D. 1999

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

Abrogated By: 66853 0.0142